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Attorney for Plaintiffs, DAVID J. LEE and  
DANIEL R. LLOYD

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID J. LEE, and DANIEL R. LLOYD,  
as individuals and, on behalf of others  
similarly situated,

Plaintiffs,

vs.

AMERICAN EXPRESS TRAVEL  
RELATED SERVICES, INC., a New York  
corporation, AMERICAN EXPRESS  
CENTURION BANK, a Utah corporation,  
AMERICAN EXPRESS BANK, FSB, a  
Utah corporation, and DOES 1, through  
100, inclusive,

Defendants.

Case No.: C-07-4765 CRB

OPPOSITION OF PLAINTIFFS  
TO DEFENDANTS AMERICAN  
EXPRESS TRAVEL RELATED  
SERVICES COMPANY INC. AND  
AMERICAN EXPRESS  
CENTURION BANK'S MOTION  
TO DISMISS THE PLAINTIFFS'  
COMPLAINT

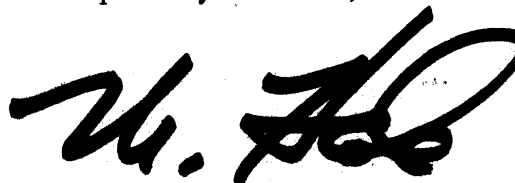
DATE: November 30, 2007  
TIME: 10.00 a.m.  
PLACE: Courtroom 8  
19<sup>th</sup> Floor  
450 Golden Gate Ave.  
San Francisco, Calif. 94102

1 Plaintiffs, by their undersigned attorney, hereby oppose the Defendants' Motion to  
2 Dismiss Plaintiffs' Complaint on the bases that: (a) Plaintiffs have standing to maintain the  
3 action and its various causes of action; (2) Plaintiffs' claims concerning their charge, credit, gift,  
4 and dining cards fall within the coverage of the Consumer Legal Remedies Act (Cal. Civil Code  
5 §§ 1750 et seq.; (3) the Complaint meets the specificity requirements of Fed.R.Civ.P. 9(b); and  
6 (4) Plaintiff Daniel Lloyd's causes of action are not barred by the relevant statute of limitations.  
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8 The Court is respectfully referred to the accompanying memorandum of points and  
9 authorities in support of this Opposition.  
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11 Dated: November 9, 2007

Respectfully submitted,

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15 Matthew S. Hale  
16 Attorney for Plaintiffs  
17 David J. Lee and Daniel R. Lloyd  
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